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United States District Court
Eastern District of Washington
Honorable Salvador Mendoza, Jr.

United States of America,

Plaintiff,

v.

James Dean Cloud,

Defendant.

No. 1:19-CR-2032-SMJ-1

Notice on Videoconferencing

1 In a May 22, 2020 Order, the Court converted the parties' in-person
2 suppression hearing to a videoconference hearing.¹ In that Order, the Court noted if
3 either James Cloud or Donovan Cloud do "not consent to the hearing being
4 conducted by videoconference," then that party shall take the following steps:

- 5 1) file a notice reflecting as much;
- 6 2) propose an alternative plan; and
- 7 3) include in the notice the other parties' positions.²

8 The parties met, conferred, and do not consent to the suppression hearing
9 proceeding via videoconference. This is a position shared by all parties, including
10 the United States.

11 The parties jointly-submit the following alternative plan:

- 12 1) to reset the suppression hearing at a time after the Eastern District of
13 Washington lifts the emergency, Covid-19-related measures implemented
in General Order No. 20-101-1;³
- 14 2) to have an in-person suppression hearing consistent with
15 CDC-recommended guidelines on social distancing between parties
16 (recognizing exceptions may be needed for counsel to effectively
communicate with Messrs. Cloud and Cloud);

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¹ ECF No. 166.

19 ² ECF No. 166.

³ <https://bit.ly/Order20-101-1>, last accessed on May 28, 2020.

1 3) to have masks on clients and the parties (if the Court deems it necessary);
2 and

3 4) to ***not mask*** any witnesses providing testimony.

4 The parties also would not object to erecting temporary plexi-glass in specific
5 locations within the courtroom (e.g., between the Court and the witness stand).

6 Dated: May 28, 2020

7 Federal Defenders of Eastern Washington & Idaho
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11 **Service Certificate**

12 I certify that on May 28, 2020, I electronically filed the foregoing with the
13 Clerk of the Court using the CM/ECF System, which will notify Assistant
14 United States Attorneys: Thomas J. Hanlon and Richard Burson.

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